



December 1, 2020

PRINGLEI VARIANCE
3320 E San Miguel Place
Paradise Valley, AZ 85253

Dr Curt Hamann, owner of Pringlei LLC, purchased the home at 3320 E San Miguel Place, Paradise Valley, AZ 85253 identified as Maricopa County Assessor Parcel #170-03-133. Dr. Hamann purchased the property with the intent of updating the home while maintaining its existing footprint. Through the process of obtaining permits to remodel the home, it was discovered that the existing building, permitted to be built in the Town of Paradise Valley in 1969, is now considered non-conforming. At the closest point, it sits 30 feet from the front

property line (see Exhibit A), not a minimum of 40 feet as the Town of Paradise Valley code now requires. This was discovered as a result of a survey performed due to PV's requirement for a Grading and Drainage plan, after the demo permit had been issued, and demolition, which included removing the roof, was complete.

The property is a 50,362 square foot parcel zoned R-43. It is irregular in shape, and in the apex of a 90-degree turn, which creates a pie-shaped lot, and restricts the overall buildable square footage. In addition, a wash runs along the east property line (see Exhibit B) and encroaches on the lot by approximately 53 feet at its greatest point, further restricting any possible redevelopment.

REQUEST

The purpose of this application is to request a variance from Article X, Section 1001, table 1001-A1 of the Town's Zoning Ordinance to allow the front setback (40') to remain at 30' as the building exists today. The current location of the home allows it to be oriented on the lot such that it may face the street.

VARIANCE CRITERIA

1. *"Such variance...will serve not merely as a convenience to the applicant, but [is] necessary to alleviate some demonstrable hardship or difficulty so great as warrant a variance under the circumstances."* (Town Code Section 2-5-3(C)2).

As previously noted, the lot is oddly shaped (narrow at the front) with an encroaching wash at the east property line. Both of these conditions are restricting options of modification or further redevelopment. In addition, a significant amount of time and cost has already been incurred in the design, planning, and partial demolition of this existing building.

2. *The "special circumstances, hardship, or difficulty [do not] arise out of misunderstanding or mistake..."* (Town Code Section 2-5-3(C)4(b)).

The condition of the property's unique shape/limited frontage to the street, and existence of the wash did not arise out of a misunderstanding or mistake. The existing building is as was recently purchased.

3. “Such variance from ... the strict application of the terms of [the Zoning Ordinance] ... are in harmony with its general purposes and intents ...” (Town Code Section 2-5-3(C)2).

The existing nonconforming portion of the house is to maintain its footprint, and only the interior is to be modified. As specified in the plan, we will maintain the existing height to comply with Zoning Ordinance Article 23, section 2302, B. The nonconforming portions of this home do not pose any blockages of views or create any aesthetic deficiencies making the property appear out of synch with the general purposes and intent of the Town ordinances.(See Exhibit C)

4. “The special circumstances, hardship or difficulty applicable to the property are [not] self imposed by the property owner, or predecessor...” (Town Code Section 2-5-3(C)4) (Arizona Revised Statutes 9-462.06(H)(2)).

The hardship applicable to the property is not self-imposed as it was unknown until after the demo permit had been issued. And we assume the predecessor had approval or permits to build the existing structure. The restrictions imposed by the unusual lot conditions create the hardship and difficulty to modify or redevelop the existing structure.

5. “Because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.” (Arizona Revised Statutes 9-462.06(G)(2)).

Unlike the properties around it, the lot is irregular in shape, and in the apex of a 90-degree turn, which creates a curved wedge shape with minimal width at the front and restricts the overall buildable square footage. And, as previously stated, the nonconforming portions of this home do not pose any blockages of views or create any aesthetic deficiencies making the property appear out of synch with the general purposes and intent of the Town ordinances (see Exhibit C).

6. The variance would not “constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.” (Arizona Revised Statutes 9-462.06(G)(2)).

This variance would not grant a special privilege inconsistent with the limitations upon other properties in the vicinity as the building footprint would remain as was originally built. A lot of this unusual shape and natural conditions gives the property and others like it, unique limitations for which the Variance process can benefit.

CONCLUSION

There are no known previous complaints or problems with the existing structure on the property at 3320 E San Miguel Place. The proposed plans to remodel the existing property will only beautify it and increase value to the surrounding properties. A significant amount of time and expense has already been incurred with movement in the direction of improving this property in its current footprint. The challenges of lot shape, minimal street facing frontage, and natural conditions are all cause for diminished redevelopment options. Thus, we respectfully request the Town's Board of Adjustment grant the requested variance.

EXHIBIT A



EXHIBIT B



EXHIBIT C



viewed from the SW curb looking NE



viewed from NW curb looking SE

viewed from across the street looking NE



Job Description:

Remodel

Plans by:
SWARTZ
CONSTRUCTION, INC.
Date: 10/22/2020

Revisions:	
Date	Description

Sheet Name:

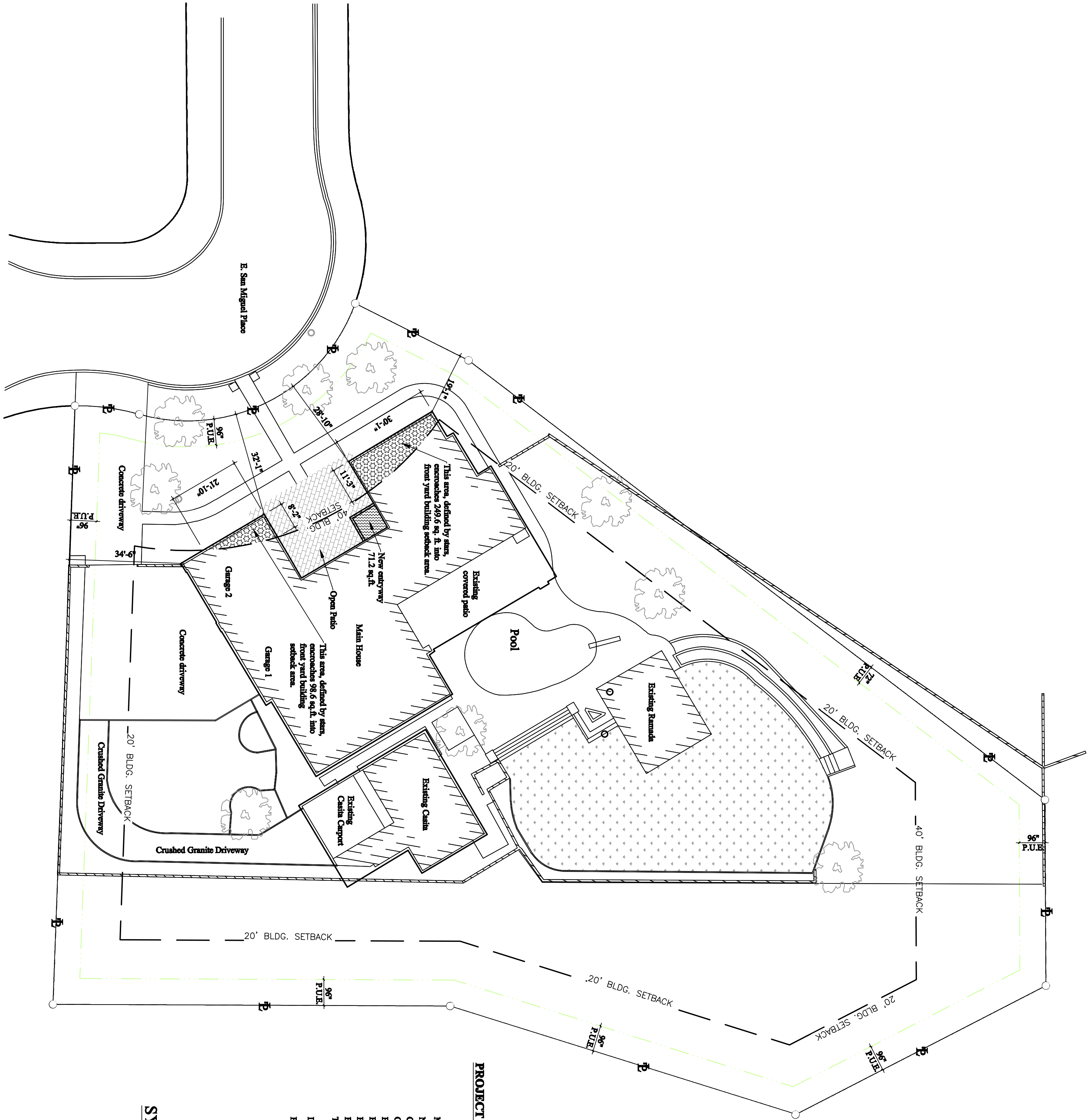
Site Plan for requested variance

Sheet Number:

C2

Project Number:

19-005



PROJECT COVERAGE CALCULATIONS (SQ.FT.):

Main house:	4,414/12 sq.ft.
New entrance way	712 sq.ft. (Use only new foot print added to property)
Garage 2:	696/0 sq.ft.
Garage 1:	346/7 sq.ft. (Converted from livable to garage)
Existing covered patio:	820/3 sq.ft.
Existing ramada:	786/0 sq.ft.
Existing casita:	966/0 sq.ft.
Existing casita car port:	356/3 sq.ft.
Existing casita car port:	8,537/4 sq.ft.
Total existing area under roof:	50,362 sq.ft.
Lot size:	17.0%
Front Area Ratio:	17.0%

SYMBOLS:

Property Lines

Job Description:

Remodel

Dr. Hamann
3320 E. San Miguel Pl.
Phoenix, AZ. 85253

**Plans by:
SWARTZ
CONSTRUCTION, INC.**

Date: 10/22/2020

Revisions:

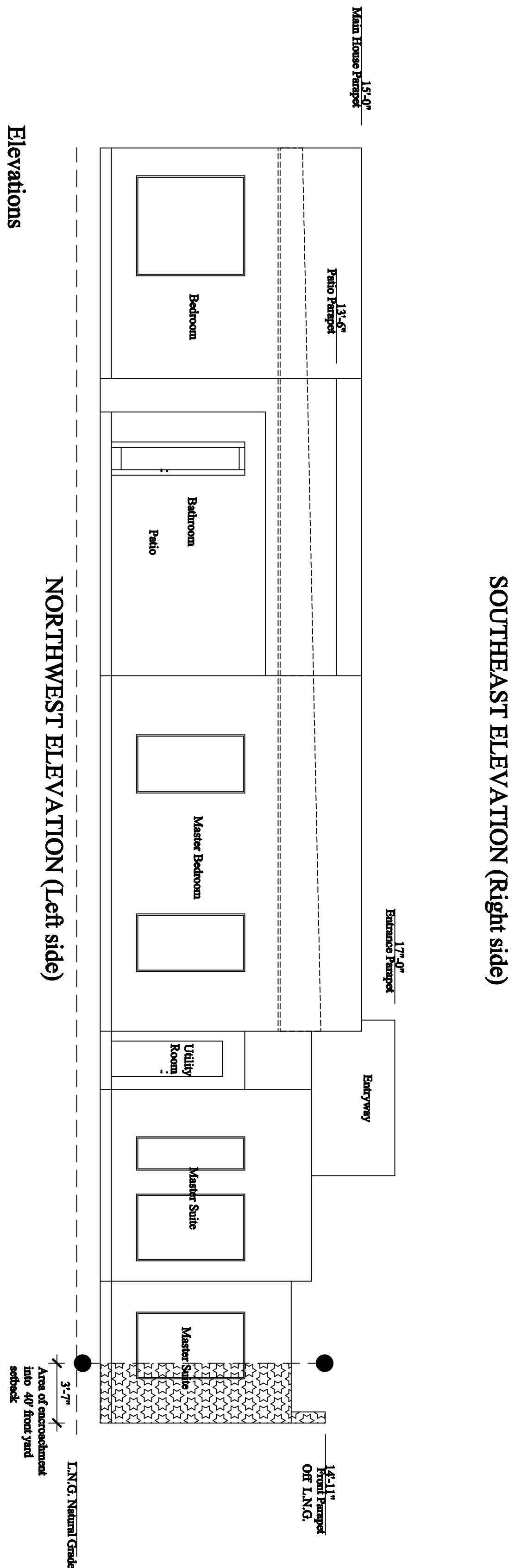
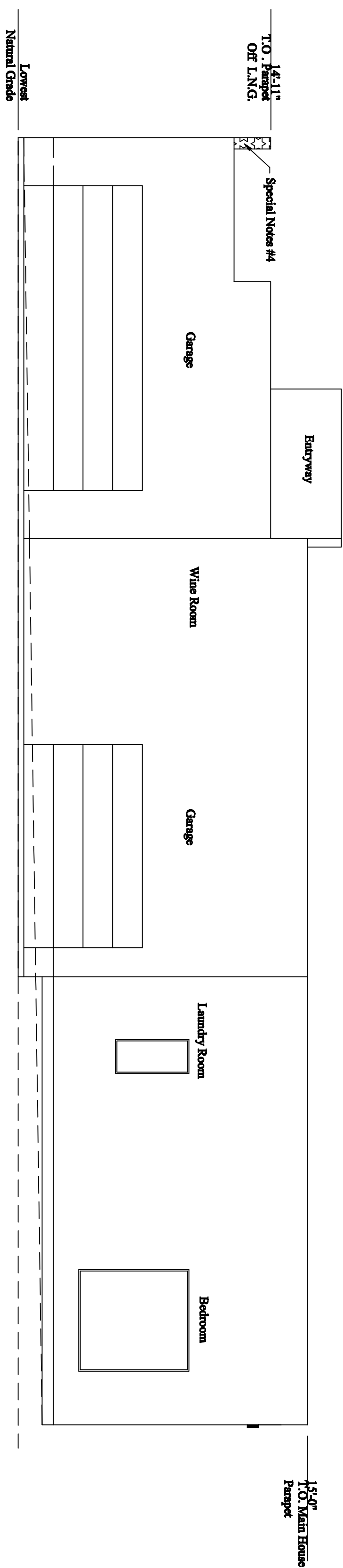
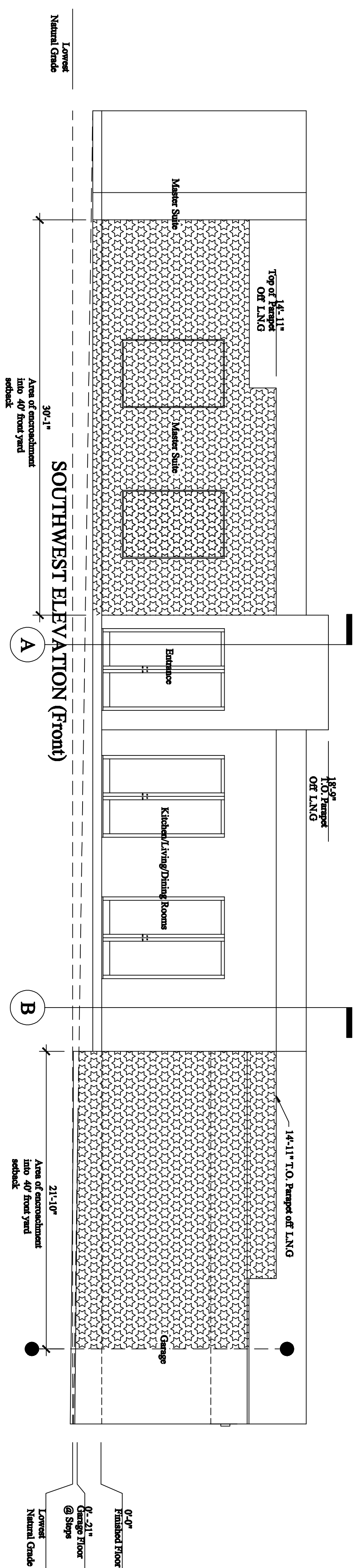
Date	Description
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Sheet Name:

Elevations

Sheet Number:
D-1.0

Project Number:
19-005



1. ALL COLUMNS, PARAPETS, WALLS TO BE STUCCO FINISHED WITH SAND TEXTURE PAINT COLOR TO BE SELECTED BY OWNER.
2. STUCCO TO BE WESTERN ONE COAT 100% LATEX-2303 2/2020
3. CRACKED MORTARS TO BE SPATCHED PER MANUAL PREPARATION
4. SURFACE SPALLAGE SHALL BE DIVERSED TO AS TO NOT CAUSE A HAZARD
5. LOT SHALL BE GRADED TO AS TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS A MINIMUM OF 6" WITHIN THE FIRST 10'

SPECIAL SHEET NOTES FOR VARIANCE

1. ALL AREAS DESIGNATED AS ENCROACHING IN 4th FRONT YARD SETBACK WILL REMAIN IN AS-BUILT FOOT PRINT AND HEIGHT.
2. THE ONLY CHANGES WILL BE TO BRING ANYTHING DEEMED TO BE OUTSIDE OF APPLICABLE CODES AS AMENDED BY THE TOWN OF PROVIDENCE UPDATES TO MEET EXISTING LAW CODES.
3. NO NEW CONSTRUCTION WILL BE OUTSIDE THE ESTABLISHED PROPERTY LINE SETBACKS.
4. THE ONLY PART OF THE SOUTHEAST ELEVATION DRAWING THAT IS ENCROACHING IN THE 4th FRONT YARD SETBACK IS THE HIGH PRAIRIE WALL SECTION SHOWN ABOVE THE GARAGE ON THE LEFT SIDE OF THE DRAWING.

Scale: 3/16"=1'